

**First Action Interview
Office Action Summary**

Application No.

10/568,975

Applicant(s)

HENRY ET AL.

Examiner

J. CHRISTOPHER BALL

Art Unit

1795

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The MAILING OR NOTIFICATION DATE of this communication appears on the cover sheet with the correspondence address.

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS**, WHICHEVER IS LONGER, FROM THE MAILING OR NOTIFICATION DATE OF THIS COMMUNICATION.

This time period for reply is extendable under 37 CFR 1.136(a) for only ONE additional MONTH.

☐ Applicant's request to not have a first-action interview is acknowledged (or the time period for reply set forth in the Pre-Interview Communication has expired and the Office did not receive any reply).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2010 and interview conducted on 12 July 2010.
2) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 3) ☒ Claim(s) 1, 3-38, 43-45, 53, 54, 65, 66, 70, 73, 74, 76-80, and 85-87 is/are pending in the application.
3a) Of the above claim(s) 1 and 3-36 is/are withdrawn from consideration.
4) ☐ Claim(s) _____ is/are allowed.
5) ☒ Claim(s) 37, 38, 43, 45, 53, 54, 65, 66, 70, 73, 74, 76-80, and 85-87 is/are rejected.
6) ☐ Claim(s) _____ is/are objected to.
7) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 8) ☐ The specification is objected to by the Examiner.
9) ☒ The drawing(s) filed on 14 June 2010 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
10) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 11) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

Contact Information

Examiner's Telephone Number: (571) 270-5119

Examiner's Typical Work Schedule: Monday through Thursday, 9 am to 5 pm Eastern

Supervisor's Name: Nam Nguyen

Supervisor's Telephone Number: (571) 272-1342

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 09/30/2010.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

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Notification of Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
1	37,38,43-45,54,65,66,70,73,74	MARTIN et al.	102(b)	Limitations for cited claims are taught at the following: 1 st full para., left, p. 1140; 1 st full para., left, p.1138; 1 st and 2 nd para., right, p. 1138; Figures 1A, 1B, and 3.
1	76-80			
2	53 and 85-87	MARTIN et al.	103(a)	Given the teachings of Martin, duplication of detection channels would be obvious to perform multiple detection (In re Harza, 274 F.2d 669, 124 USPQ 378 (CCPA 1960); the teaching of analytes by Martin would make it obvious to use the method for other

Expanded Discussion/Commentary

2		electroactive analytes, such as those recited in instant claims 85-87.

DATE: 9/30/2010	JCB	/Ula C Ruddock/ Supervisory Patent Examiner, Art Unit 1795
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